FACILITY CHECKLIST

RCRA RECORDKEEPING AND REPORTING REQUIREMENTS FOR WOOD PRESERVING FACILITIES

The following checklist contains reporting and recordkeeping requirements for owners/operators of wood preserving facilities that are subject to the standards for hazardous waste drip pads (**Subpart W**) and hazardous waste tanks (**Subpart J**). It is intended to assist owners/operators in ensuring that the required documentation, certification, and records are being maintained at a facility. It is not intended to serve as a substitute for Federal regulations, and should not be treated as an exhaustive list of requirements; rather, it should be viewed as a compliance tool.

The information provided is for wood preserving facilities that are **large quantity generators** of hazardous waste. For the most part, requirements for small quantity generators will be the same. In situations where requirements differ, appropriate annotations are made. Also, for many of the recordkeeping requirements, there are specified time periods that owners/operators must keep these records on site. Generally, these periods range from between three to five years. In the event a legal action is pending, a facility may be required to retain documents indefinitely. If no specific record retention period exists for a particular requirement, owners/operators should check with their State agency to establish appropriate practices at the facility.

RECORDKEEPING

Both the RCRA Subpart W and drip pad standards have recordkeeping requirements pertaining to the documentation of waste management operations, maintenance of forms or other plans, and the performance of various assessments. This documentation should be kept on site and be readily accessible in the event of an EPA or State inspection. These requirements are discussed below.

Operating Practices

Ceased Drippage ____

Documentation that all treated wood has been left on the Subpart W drip pad until all drippage has ceased (§264.573(k)/§265.443(k)).

Drip Pad Cleaning Procedures ----

Documentation of drip pad cleaning procedures employed at the facility. This should include documentation of cleaning procedures as well as the date and time of each cleaning. Federal regulation requires drip pads to be cleaned in a manner and frequency to allow for weekly inspection of the drip pad without hindrance from accumulated residues (§264.573(i)/§265.443(i)).

Storage Yard Cleanup Activities ----

Documentation of all cleanup activities in response to any infrequent incidental drippage in storage yard. This documentation must be kept in the facility's files for at least three years (§264.570(c)/§265.440(c)).

Structural Problems ----

Documentation of any drip pad condition that may have or has caused a release of hazardous waste from the drip pad (§264.573(m)(1)/§265.443(m)(1)).

Collections from Leak Collection System ----

Documentation of the date, time, and quantity of any leakage collected in the drip pad's leak collection system (§264.573(b)(3)/§265.443(b)(3)).

Past Waste Handling Operations ----

Documentation of past waste handling operations and practices at the facility, documentation of all preservatives used throughout the operation of the facility, and drippage management practices employed in the process area and in storage yards. Such documentation must be as complete and accurate as possible, and include operations conducted by anyone who owned/operated the wood preserving facility prior to the present owner/operator (§264.573(n)/§265.443(n)).

Equipment Cleaning ----

Documentation that all required equipment cleaning or replacement has been performed in order to delete the F032 waste code from wastes generated on drip pads at facilities that once used chlorophenolic formulations. This documentation includes a certification signed by the generator and must be kept in the facility's operating files (§261.35).

Tank System Inspections ----

Documentation of any tank system inspections conducted pursuant to Subpart J (§264.195/§265.195).

Closure Plan ----

Owners/operators of facilities that do not comply with the liner/leak detection and leak collection provisions must develop and maintain a written closure plan that will be available to inspectors, and must be maintained throughout the active life of the facility. Where decontamination of all contaminated soils is not feasible, a contingent post-closure plan must also be prepared. **Note**: The requirements for closure plans do not apply to generators of hazardous waste, but only to permitted/interim status facilities (§265.445(c)).

Hazardous Waste Manifest ----

Owners/operators must keep a copy of each Uniform Hazardous Waste Manifest used to send hazardous wastes off site for treatment, storage, or disposal. Signed copies of every manifest must be retained on site for three years (§262.40(a)).

Emergency Contingency Plan ----

Large quantity generators and owners/operators of TSDFs must develop facility contingency plans. These plans must describe the actions facility personnel must take to respond to fires, spills, explosions, or releases at the facility (§265.52). A copy of the contingency plan must be maintained at the facility and submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services. Small quantity generators must develop a modified contingency plan. For more details, see §262.34(d).

Biennial Report ----

Generators must keep a copy of each Biennial Report submitted for a period of at least three years from the due date of the report (§262.40(b)).

Land Disposal Restrictions (LDR) ----

All LDR notifications and certifications must be kept on file at the facility for at least five years (§268.7(a)(7)).

Waste Removal From Drip Pad and Collection System ----

A description of procedures that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days must be kept on file. This will help ensure that owners/operators do not accumulate hazardous wastes on drip pads for longer than the 90 days allowed by Federal regulations (§262.34(a)(iii)(A)).

Waste Removal ____

Documentation of the dates, times, and quantity of waste removed the drip pad and associated collection systems. This is to ensure that all hazardous waste is removed within the accumulation times provided in §262.34.

Waste Analysis Results ____

Records of any test results, waste analyses, or other determinations made in accordance with §262.11 (hazardous waste determination). These records must be kept at the facility for at least three years from the date that the waste was last sent to an on-site or off-site TSDF (§262.40(c)).

Personnel Training Records ____

Large quantity generators and owners/operators of TSDFs must keep records of all personnel and job training conducted in accordance with the provisions of §265.16. Among other things, employees must be familiar with procedures for using, inspecting, and repairing equipment, parameters for automatic waste feed cut off, emergency response systems, and shutdown operations. Employees must also successfully complete an on-the-job training course that explains safety procedures. This initial training must be renewed by all employees annually. Training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. [Small quantity generators are subject to personnel training requirements that are less detailed than the ones mentioned above. For more information on these requirements, see §262.34 (d)(5).]

Required Plans and Forms

Incidental Drippage Contingency Plan ____

A written contingency plan that describes how owners/operators will respond to a discharge of infrequent or incidental drippage in storage yards. All documents relating to such cleanup must be kept for three years (§264.570(c)/§265.440(c)).

Drip Pad Upgrading Plan ____

If a drip pad upgrade is planned (i.e., a liner and leachate detection/collection system are to be installed), a written plan for upgrading, repairing, and modifying the drip pad to meet the design and operating requirements of Subpart W. This written plan must describe all changes to be made to the drip pad in sufficient detail to document compliance with the standards (§264.571(b)/§265.441(b)). This plan must also be reviewed by an independent, qualified, registered professional engineer and submitted to the EPA Regional Administrator (See Reporting Requirements).

Tank Closure Plan ----

Owners/operators of facilities with tank systems must develop a closure plan. Those that do not have secondary containment must also develop a contingency plan for closing as a landfill if all contamination cannot be practicably removed (§264.197). **Note**: This requirement is only for permitted/interim status facilities. Generators accumulating hazardous waste in tanks are not required to develop closure plans.

Assessments and Certifications

Assessment of Existing Drip Pad Integrity ----

All owners/operators of hazardous waste drip pads built before December 6, 1990, must have on file an evaluation of the integrity of the drip pad that has been reviewed and certified by an independent, qualified, registered professional engineer. This assessment must be reviewed, updated, and recertified annually until all upgrades necessary to comply with the Subpart W design and operating requirements are completed (§§264.571(a)/265.441(a)).

Annual Drip Pad Recertification ----

Drip pads that do not have a liner/leak detection and leak collection system must be recertified annually by an independent, qualified, registered professional engineer. This certification must describe the extent to which the drip pad meets the drip pad design requirements (§264.573(a)(4)/ §265.443(a)(4)).

Assessments of Drip Pads with Sealants/Coatings ----

All owners/operators of drip pads that are complying with the sealant option must keep a written assessment of the drip pad on file at the facility. This evaluation must document the extent to which the drip pad meets the drip pad design and operating standards. This assessment must be certified by an independent, qualified, registered professional engineer, and must be reviewed, updated, and recertified annually (§264.573(a)(4)/§265.443(a)(4)).

Design Standard Certification ----

Drip pads must be evaluated by an independent, qualified, registered professional engineer to certify that the drip pad meets all design requirements (§264.573(g)/§265.443(g)).

Liner Certification ----

Immediately following installation of liners, drip pads must be certified as complying with the design standards of Subpart W by an independent, qualified, registered professional engineer. This certification must be kept as part of the facility's operating log (§264.574(a)/§265.444(a)).

Existing Tank Assessment ____

All existing tanks and sumps must be assessed to ensure the integrity of the system. A written assessment that has been certified by an independent, qualified, registered professional engineer must be obtained and kept on file at the facility (§264.191(a)/§265.191(a)).

New Tank Assessment ____

Owners/operators of new tank systems must obtain a written assessment reviewed and certified by an independent, qualified, registered professional engineer attesting that the system has sufficient structural integrity and that it is acceptable for the storing of hazardous waste (§264.192(a)/§265.192(a)).

Certification Statements ____

Owners/operators of new tank systems must obtain and keep on file at the facility written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system in accordance with the tank regulations (§264.192(g)/§265.192(g)). These certifications must also be accompanied by an additional certification attesting to the validity of all assertions made in the assessment (§270.11(d)).

Job Descriptions and Titles

Large quantity generators and owners/operators of TSDFs are required to maintain records of the job title for each position related to hazardous waste management, and the name of the employee filling each position. A written job description for each position must also be maintained, including the requisite skill, education, or other qualifications and duties of facility personnel assigned to each position.

REPORTING REQUIREMENTS

The Subpart W and Subpart J standards contain a number of reporting requirements. These reports must be prepared by the owner/operator of the facility and submitted to EPA. The reports that will most likely be required from wood preserving facilities are described below.

Drip Pad Upgrade Plan ____

If owners/operators intend to upgrade (i.e., install a liner) a drip pad, upgrade plans must be developed and submitted in accordance with §264.571(b)/§265.441(b) to the EPA Regional Administrator no later than two years before the date that all changes are to be made.

Final Drip Pad Drawings

Upon completion of all repairs and modifications, owners/operators must submit final, as-built drawings for the drip pad to either the EPA Regional Administrator or the State Director. These drawings must be accompanied by a certification by an independent, qualified, registered professional engineer attesting that the drip pad conforms to the drawings (§264.571(c)/§265.441(c)).

Discovery of Dangerous Condition

Within 24 hours after discovery of a condition that may have or has caused a release of hazardous waste from the drip pad, owners/operators must notify the EPA Regional Administrator of the condition and, within ten working days, provide written notice to the Regional Administrator with a description of the steps that will be taken to repair the drip pad and clean up any leakage. The report must also include a schedule for completion of these activities (§264.573(m)(1)/§265.443(m)(1)).

Completion of Repair

Upon completion of all drip pad repairs and clean up performed in conjunction with §264.573(m)(1)/§265.443(m)(1), owners/operators must also notify the EPA Regional Administrator in writing and provide certification signed by an independent, qualified, registered professional engineer to verify that the appropriate actions have been taken (§264.573(m)(3)/§265.443(m)(3)).

Closure Plans

Owners/operators of interim status facilities must prepare and submit a written closure plan to EPA describing how the facility will be closed when waste management operations cease. Generally, closure includes cleanup of contaminated soils and equipment at the facility. Although large and small quantity generators accumulating hazardous waste in tanks and drip pads are required to comply with general closure standards, they are not required to develop or submit formal closure plans to EPA.

Tank Recertification

Before a tank system that has undergone major repair can be returned to service, it must be certified by an independent, qualified, registered professional engineer to be capable of handling hazardous waste. This recertification must be submitted to the EPA Regional Administrator within seven days of returning the tank system to service (§264.196(f)/§265.196(f)).

Spill Notification

Unless an owner/operator has already reported a release under CERCLA §302.4, any release to the environment that is greater than one pound, or that has not been contained immediately and cleaned up, must be reported to the EPA Regional Administrator within 24 hours of detection. In addition, a written follow-up report

must be sent to the EPA Regional Administrator within 30 days (§264.196(d)/§265.196(d)).

Generator Notification

All owners/operators of wood preserving facilities managing RCRA hazardous waste must obtain an EPA identification number by submitting EPA Form 8700-12 to the appropriate State hazardous waste agency. Conditionally exempt small quantity generators are not required to obtain an EPA identification number.

Biennial Report

All large quantity generators and TSDFs that generate hazardous waste that is sent off site to a TSDF must submit a Biennial Report to the EPA Regional Administrator by March 1 of each even numbered year (i.e., every other year). This must cover all generator activities during the previous year only, and must be submitted on EPA Form 8700-13A. A copy of each report must be kept at the facility for three years from the due date of the report (§262.41).

Exception Reports

Large quantity generators who do not receive a copy of the hazardous waste manifest within 45 days of the date the waste was accepted by the hazardous waste transporter must submit an exception report to the EPA Regional Administrator. This report must include a legible copy of the manifest and a cover letter explaining efforts that were taken to obtain the manifest. Small quantity generators who do not receive a copy of the manifest with 60 days of the date the waste was accepted by the hazardous waste transporter must also submit an exception report to the EPA Regional Administrator. Small quantity generators must submit a legible copy of the manifest with some indication that the generator has not received confirmation of delivery. Small quantity generators do not need to submit a cover letter (§262.42).

Appendix D

Subpart W (Drip Pad) Checklist

Date _____
Inspector _____
Facility ID # _____

SUBPART W (DRIP PAD) CHECKLIST

Section A - Design Requirements

	YES	NO
1. Is the drip pad constructed of non-earthen materials excluding wood and non-structurally supported asphalt? [265.443(a)(1)]	____	____
2. Is the drip pad sloped to free-drain treated wood drippage, rain and other waters, or solutions of drippage and water or other wastes to the associated collection system? [265.443(a)(2)]	____	____
3. Does the drip pad have a curb or a berm around the perimeter? [265.443(a)(3)]	____	____
4. Has the drip pad been evaluated to determine that it meets the requirements of paragraphs (a) through (f) of 265.443?	____	____
If yes, has the owner/operator obtained a statement from an independent, qualified registered PE certifying that the drip pad design meets the requirements of this section? [265.443(g)]	____	____

Section B - Sealed Drip Pads

1. Is the drip pad an existing pad or has the owner or operator elected to comply with 265.442(a)(4) instead of 265.442(b)?	____	____
If no, skip to Section C.		
2. Is the entire surface of the drip pad where drippage occurs or may run across sealed, coated or covered with a surface material that has a hydraulic conductivity of less than or equal to 1×10^{-7} centimeters per second? [265.443(a)(4)(i)]	____	____
3. Is the drip pad maintained free of cracks and gaps that could adversely affect its hydraulic conductivity? [265.443(a)(4)(i)]	____	____
4. Is the material used to seal the drip pad chemically compatible with the preservatives that contact the pad? [265.443(a)(4)(i)]	____	____

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	YES	NO
5. Does the owner or operator have on file at the facility a written assessment of the integrity of the drip pad, reviewed & certified by a registered PE that attests to the results of the evaluation? [265.443(a)(4)(ii)]	____	____
If yes, is the assessment reviewed, updated and recertified annually?	____	____
6. Does the evaluation document the extent to which the drip pad meets the design and operating standards of this section, except for subsection (b) which applies to pads with liner/leak detection? [265.443(a)(4)(ii)]	____	____
7. Is the drip pad of sufficient structural strength and thickness to prevent failure due to physical contact, climatic conditions, stress of installation and stress of daily operations, e.g., vehicle traffic and movement of wood? [265.443(a)(5)]	____	____

Section C - Lined Drip Pads

1. If the owner/operator elects to comply with 265.443(b) instead of 265.443(a)(4), Does the drip pad have a synthetic liner installed below the drip pad.	____	____
2. Is the liner designed, constructed and installed to prevent leakage from the pad into adjacent subsurface soil, groundwater or surface water at any time during the active life including closure period of the drip pad? [265.443(b)(1)]	____	____
3. Is the liner constructed of materials that have appropriate chemical properties and sufficient structural strength and thickness to prevent failure due to pressure gradients, physical contact with the waste, climatic conditions, stress of installation and stress of daily operations, e.g., vehicle traffic on the pad? [265.443(b)(1)(i)]	____	____
4. Is the liner placed on a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression or uplift? [265.443(b)(1)(ii)]	____	____

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	YES	NO
5. Is the liner installed to coverall surrounding earth that could come in contact with waste or leakage? [265.443(b)(1)(iii)]	____	____

Section D - Leakage Detection System

1. Does the drip pad have a leakage detection system that is immediately above the liner?	____	____
2. Is the leakage detection system designed, constructed, maintained and operated to detect leakage for the pad? [265.443(b)(2)]	____	____
3. Is the leakage detection system constructed of materials that are:		
Chemically resistant to the waste managed in the drip pad and the leakage that might be generated? [265.443(b)(2)(i)(A)]	____	____
Of sufficient strength and thickness to prevent collapse under the pressures exerted by overlaying materials and by equipment used on the drip pad? [265.443(b)(2)(i)(B)]	____	____
4. Is the leakage detection system designed and operated to function without clogging through the scheduled closure of the drip pad? [265.443(b)(2)(ii)]	____	____
5. Is the leakage detection system designed so that it will detect the failure of the drip pad or the presence of a release of hazardous waste or accumulated liquid at the earliest practicable time? [265.443(b)(2)(iii)]	____	____

Section E - Leakage Collection System

Leakage Collection System applies only to drip pads installed after December 24, 1992.

1. Does the drip pad have a leakage collection system immediately above the liner? [265.443(b)(3)]	____	____
2. Is the leakage collection system designed, constructed, maintained and operated to collect leakage for the pad such that it can be removed from below the drip pad? [265.443(b)(3)]	____	____

Date _____
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Facility ID # _____

	YES	NO
3. Is the date, time and quantity of any leakage collected and removed from this system documented in the operating log? [265.443(b)(3)]	____	____
4. Is the drip pad maintained such that it remains free of cracks, gaps, corrosion or other deterioration that could cause hazardous waste to be released from the pad? [265.443(c)]	____	____
5. Is the drip pad and associated collection system designed and operated to convey, drain and collect liquid resulting from drippage or precipitation in order to prevent run-off? [265.443(d)]	____	____

Section F - Run-On & Run-Off Control

1. Is the drip pad protected by a structure as described in 265.440(b)?	____	____
If yes, skip to Section G.		
2. If not protected by a structure as described in 265.440(b), has the owner/operator designed, constructed, operated and maintained a run-on control system capable of preventing flow onto the drip pad during peak discharge of a 24-hour 25-year storm? [265.443(e)]	____	____
3. Does the system have sufficient excess capacity to contain any run-on that might enter the system to collect and control at least the water volume resulting from a 24-hour 25-year storm? [265.443(e)]	____	____
4. If not protected by a structure as described in 265.440(b), has the owner/operator designed, constructed, operated and maintained a run-off management system to collect and control at least the water volume resulting from a 25-year storm? [265.443(f)]	____	____

Section G - Operation

1. Has the drippage and accumulated precipitation been removed from the associated collection system as necessary to prevent overflow onto the drip pad? [265.443(g)]	____	____

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Facility ID # _____

	YES	NO
2. Is the drip pad surface cleaned thoroughly in a manner and frequency such that accumulated residues of hazardous waste or other materials are removed so as to allow weekly inspections of the entire drip pad surface without interference or hindrance from accumulated residues of hazardous waste and other materials? [265.443(i)]	____	____
If yes, has the owner/operator documented the date and time of each cleaning? [265.443(i)]	____	____
Is the cleaning procedure used described in the facility's operating log? [265.443(i)]	____	____
3. Is the drip pad operated and maintained in a manner to minimize tracking of hazardous waste or hazardous waste constituents off the drip pad as a result of activities by personnel or equipment? [265.443(j)]	____	____
4. After being removed from the treatment vessel, is treated wood from pressure and non-pressure processes being held on the drip pad until drippage has ceased. [265.443(k)]	____	____
If yes, has the owner/operator maintained records sufficient to document that all treated wood is held on the pad following treatment?	____	____
5. Are the collection and holding units associated with run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity of the system? [265.443(l)]	____	____
6. Has the owner/operator maintained as part of the facility operating log documentation of past operating and waste handling practices? [265.443(n)]	____	____
If yes, does it include:		
a. preservative formulations used in the past?	____	____
b. description of drippage management practices?	____	____
c. description of treated wood storage and handling practices?	____	____

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	YES	NO
Section H - Release of Hazardous Waste		
1. Throughout the active life of the drip pad, has the owner/operator detected a condition that may have caused or has caused a release of hazardous waste? [265.443(m)]	____	____
If no, skip to Section I.		
2. Has the condition been repaired within a reasonably prompt period of time following discovery? [265.443(m)]	____	____
Upon detection of a condition that may have caused or has caused a release of hazardous waste, did the following occur;		
3. Has a record of the discovery been entered in the facility operating log? [265.443(m)(1)(i)]	____	____
4. Was the portion of the drip pad affected by the condition immediately removed from service? [265.443(m)(1)(ii)]	____	____
5. Has the steps for repair of the drip pad been determined, any leakage been removed from below the drip pad and a schedule for clean up and repair been established? [265.443(m)(1)(iii)]	____	____
6. Within 24 hours after discovery of the condition, was the Regional Administrator notified and with in 10 working days was a written notice provided to the Regional Administrator with a description of the steps that will be taken to repair the drip pad, clean up any leakage and the schedule for accomplishing this work? [265.443(m)(1)(iv)]	____	____
7. Upon completing all repairs and clean up, has the owner/operator notified the Regional Administrator in writing and provided a certification, signed by an independent, qualified, registered PE, that the repairs and clean up have been completed in accordance with the written plan submitted in accordance with paragraph 265.443(m)(1)(iv)? [265.443(m)(3)]	____	____

Date _____
Inspector _____
Facility ID # _____

	YES	NO
Section I - Record Keeping		
1. During construction or installation, was the liner and cover system e.g., membranes, sheets or coatings inspected for uniformity, damage and imperfections e.g., holes, cracks, thin spots or foreign materials? [265.444(a)]	____	____
2. Immediately after construction or installation, was the liner inspected and certified as meeting the requirements of 265.443 by an independent, qualified, registered PE? [265.444(a)]	____	____
If yes, is the certification maintained at the facility as part of the facility operating record? [265.444(a)]	____	____
3. Was the liner and cover inspected after installation to ensure tight seams and joints, and the absence of tears, punctures or blisters? [265.444(a)]	____	____
4. Is a contingency plan maintained that describes how an owner/operator will respond immediately to incidental drippage or kickback in the storage yard? [265.440(c)(1)]	____	____
Has the facility completed the following:		
a. clean up of drippage/kickback within 72 hours of the incident not discovery	____	____
b. documented the clean up of drippage/kickback	____	____
c. retained documentation for three years	____	____
d. managed the contaminated media in accordance with federal regulations	____	____
5. Has the facility inspected the drip pad weekly and after storms? [265.444(b)]	____	____
If yes did the facility check for the following:		
a. deterioration, malfunctions or improper operation of run-on and run-off control systems? [265.444(b)(1)]	____	____
b. the presence of leakage in and proper functioning of leakage detection system? [265.444(b)(2)]	____	____
c. deterioration or cracking of the drip pad surface? [265.444(b)(3)]	____	____

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	YES	NO
6. Are procedures described in the facility operation log that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days? [262.34(a)(1)(iii)(A)]	____	____
7. Is each waste removal, including the quantity of waste removed from the drip pad and the collection system and date and time of removal documented? [262.34(a)(1)(iii)(B)]	____	____

Appendix E

Tank Systems Checklist for Generators

Date_____
Inspector_____
Generator EPA ID#_____

TANKS SYSTEMS CHECKLIST FOR GENERATORS
(40 CFR Part 265, Subpart J - Tank Systems)

NOTE: If multiple tanks exist, list each tank and specify compliance or noncompliance on the facility's site plan. Indicate on site diagram which tanks are not in compliance.

1. Are tanks presently used to accumulate waste? ___Yes ___No

2. Are there any exempt tank systems present (Closed-loop Recycling System - 261.4(a)(8))? ___Yes ___No

3. Assessment of the integrity of existing tank systems (265.191):

   a. Number of existing tank systems without secondary containment (265.193) in operation, or for which installation commenced on or prior to July 14, 1986? _____

   b. Number of existing tank systems without secondary containment (265.193) in operation, or for which installation commenced on or prior to the date the contained waste became hazardous (after 7/14/86)? _____

   c. Are assessments on file for each of these tank systems (a & b)? ___Yes ___No

   If yes, do the following apply?

   (1) Assessment conducted by 1/12/88? ___Yes ___No

   (2) For wastes becoming hazardous after 7/14/86, was assessment on tank containing such waste conducted within 1 year after the date the waste became hazardous? ___Yes ___No

   (3) Certification(s) by independent, qualified, and registered P.E.(s)? ___Yes ___No

   (4) Integrity assessment(s) results?

   ___ not leaking?

   ___ unfit for use? (see item #8)

Comments:

DATE_____
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4. New tank systems or components (265.192):

a. Number of new tank systems or components installed or put into use after 7/14/86? _____

b. Are assessments on file for each of the new tank systems or components? ___Yes ___No

If yes, do the following apply:

(1) Assessment(s) certified by an independent, qualified, registered P.E.? ___Yes ___No

(2) Assessment(s) include the following information:

- Design standards (including secondary containment unless a variance-265.193(g) has been received? ___Yes ___No

- Factor affecting corrosion potential of tanks or components in which the external shell or any external metal component is in contact with soil or water (determined by a corrosion expert)? ___Yes ___No

- The type and degree of external corrosion protection that is needed to ensure the integrity of the tank system(s) or components(s) described above (determined by a corrosion expert)? ___Yes ___No

- A determination of design or operational measures that will protect underground tank system components against potential damage from vehicular traffic? ___Yes ___No

- Design considerations to ensure that tank foundations will maintain the load of a full tank? ___Yes ___No

- Tank systems will be anchored to prevent flotation or dislodgement where it is placed in a saturated zone or is located within a seismic fault zone? ___Yes ___No

- Tank systems will withstand the effects of frost heave? ___Yes ___No

c. Are certification statements by a qualified installation inspector or qualified registered professional engineer on file to attest:

(1) to proper tank system or component installation, tank system tightness, and that necessary repairs were performed if needed? ___Yes ___No

(2) That backfill, used for underground tank systems or components, was made up of noncorrosive, porous and homogeneous materials that were placed properly around the system or component to ensure proper support? ___Yes ___No

(3) That ancillary equipment has been supported and and protected against physical damage and excessive stress due to settlement, vibration, expansion or contraction? ___Yes ___No

(4) That the type and degree of corrosion protection necessary was provided, based on the certified design assessment of the system? ___Yes ___No

(5) That an independent corrosion expert ensured the proper installation of a corrosion protection system if it was field-fabricated? ___Yes ___No

d. Has secondary containment been provided as required in 265.193 (see Item #6)?

(1) Has a variance (265.193(g)) been obtained from secondary containment? ___Yes ___No

Comments:

5. Containment and detection of releases (265.193).

NOTE: Tank systems storing hazardous waste that contain no free liquids and are located within buildings with impermeable floors are exempt from these requirements (265.190(a)).

a. How old are the existing tank systems? ____

(1) If not known, what is the age of the facility? ____

b. How many existing systems are being used to store or treat dioxin containing wastes: F020, F021, F022, F023, F026, and F027? ____

c. Are there any existing tank systems which are used to store or treat materials which became hazardous wastes after 1/12/87? ___Yes ___No

(1) How many? ____

d. Use the guidelines in 265.193(a)(1)-(5) to determine when secondary containment meeting the requirement of 265.193 is to be provided (use narrative explanation sheet if necessary).

e. Have any variances (265.193(g)) from secondary containment been requested for existing tank systems? ___Yes ___No

f. Are leak tests meeting the requirements of 265.191(b)(5) conducted annually for non-enterable underground tanks without secondary containment? ___Yes ___No

g. Are leak tests as described above, or internal inspections or other tank integrity examinations done by an independent, qualified, registered P.E. annually for all other types of tanks systems and ancillary equipment? ___Yes ___No

h. Are records of the results of leak tests or other tank integrity assessments kept on file? ___Yes ___No

i. Were any tank systems or components found to be leaking or unfit for use as a result of leak tests or other assessments?

NOTE: If the answer is yes, refer to item #8 - Response to leaks or spills and disposition of leaking or unfit-for-use tank systems (265.196).

Comments:

6. Secondary containment systems (265.193(b)-(f)).

a. Has secondary containment been provided for any tank system or component (see Items 4.d., 5.d, and 9.f)? ___Yes ___No

b. If yes, has the containment system been:

(1) Designed, installed, and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, ground water, or surface water at any time during its use? ___Yes ___No

(2) Capable of detecting and collecting releases and accumulated liquids until the collected material is removed? ___Yes ___No

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c. To satisfy b., has the containment system been:

(1) Constructed of or lined with materials that are compatible with the waste(s) to be contained? ___Yes ___No

(2) Provided with sufficient strength and thickness to prevent failure due to pressure gradients, physical contact with waste it is exposed to, climatic conditions, the stress of installation, and the stress of daily operations including vehicular traffic? ___Yes ___No

(3) Placed on a foundation or base capable of providing support to the system, resistance to pressure gradients above and below, and protection against failure due to settlement, compression or uplift? ___Yes ___No

(4) Provided with a leak detection system that is designed and operated so that it will detect the failure of either the primary and secondary containment structure or any release of waste or accumulated liquid into the secondary containment system within 24 hours or at the earliest practicable time based on existing leak detection technology and site conditions? ___Yes ___No

(5) Sloped or otherwise designed or operated to drain or remove liquids resulting from leaks, spills, or precipitation? ___Yes ___No

d. Which device below is used to provide secondary containment for tanks? (Check those that apply.)

___(1) A liner (external to the tank)
___(2) A vault
___(3) A double-walled tank
___(4) An equivalent device approved by the Department.

e. If an external liner system is used, has it been:

(1) Designed or operated to contain 100% of the capacity of the largest tank within its boundary? ___Yes ___No

(2) Designed or operated to prevent run-on or infiltration of precipitation into the system? ___Yes ___No

NOTE: If the containment collection system has sufficient excess capacity - able to contain precipitation from a 25-year, 24-hour rainfall event - this feature is not necessary.

(3) Determined to be free of cracks and gaps? ___Yes ___No

(4) Designed and installed to completely surround the tank and to cover all surrounding earth to prevent lateral and vertical migration of waste? ___Yes ___No

f. If a vault system is used, has it been:

(1) Designed or operated to contain 100% of the capacity of the largest tank within its boundary? ___Yes ___No

(2) Designed or operated to prevent run-on or infiltration of precipitation into the system (see note above)? ___Yes ___No

(3) Constructed with chemical-resistant water stops in place at all joints (if any)? ___Yes ___No

(4) Provided with an impermeable interior coating or lining that is compatible with the accumulated waste to prevent migration into the concrete? ___Yes ___No

(5) Provided with protection against the formation and ignition of vapors within the vault if the wastes being accumulated are ignitable or reactive? ___Yes ___No

(6) Provided with an exterior moisture barrier or otherwise designed or operated to prevent migration of moisture into the vault (if it is subject to hydraulic pressure)? ___Yes ___No

g. If double-walled tanks are used, are they:

(1) Designed as an integral structure so that the outer shell will contain releases from the inner tank? ___Yes ___No

(2) Protected, if constructed of metal, from corrosion on the inner tank interior and outer shell exterior? ___Yes ___No

(3) Provided with a built-in, continuous leak detection system capable of detecting a release within 24 hours or at the earliest practicable time based on existing technology and site conditions? ___Yes ___No

Comments:

DATE_____
FACILITY ID_____

7. General operating requirements (265.194).

a. Is there any evidence of ruptures, leaks, corrosion, or failure in the tank system or ancillary equipment? ___Yes ___No

NOTE: If the answer is yes, explain in the narrative report.

b. Are appropriate controls and practices such as the following used to prevent spills and overflows from tanks or secondary containment systems:

(1) Spill prevention controls (e.g, check valves, dry discount couplings, etc.)? ___Yes ___No

(2) Overfill prevention controls (e.g., level sensing devices, high level alarms, automatic feed cutoff, or bypass to a standby tank)? ___Yes ___No

(3) Maintenance of sufficient freeboard in uncoverd tanks to prevent overtopping by wave, wind action, or precipitation? ___Yes ___No

c. Have any leaks or spills occurred in a tank system or its ancillary equipment? ___Yes ___No

NOTE: If the answer is yes, explain what steps were taken in response to this situation in the narrative report (see item #8 - 265.196).

Comments:

8. Inspections (265.195).

a. Does the owner/operator inspect the following, each operating day, where present:

(1) Overfill/spill control equipment (e.g. waste-feed cutoff systems, bypass systems, and drainage systems)? ___Yes ___No

(2) Aboveground portions of the tank system to detect corrosion or releases of waste? ___Yes ___No

(3) Data gathered from monitoring equipment and leak detection equipment (e.g. pressure and temperature guages, monitoring wells)? ___Yes ___No

(4) The construction materials and the area immediately surrounding the externally accessible portion of the tank system including secondary containment structures (e.g. dikes) to detect erosion or signs of releases of hazardous waste (e.g. wet spots, dead vegetation)? ___Yes ___No

b. Are cathodic protection systems, if present, inspected according to the following schedule:

(1) Six months to confirm the proper operation of the cathodic protection system after the initial installation, and annually thereafter? ___Yes ___No

(2) Every other month to inspect sources of impressed current? ___Yes ___No

c. Are the inspection results documented in the operating record of the facility?

Comments:

9. Response to leaks or spills and disposition of leaking or unfit-for-use tank systems (265.196).

a. If a tank or secondary containment system has a leak or a spill has occurred, was the system immediately removed from service and the flow of hazardous waste into the system immediately stopped? ___Yes ___No

(1) If the release was from the tank system, was as much of the waste as necessary removed within 24 hours or at the earliest practicable time after its detection to allow inspection and repair to be performed? ___Yes ___No

(2) If the release was to the secondary containment system, were all released materials removed within 24 hours or in as timely a manner as possible to prevent harm to human health and the environment? ___Yes ___No

b. If there was a visible release to the environment, was a visual inspection conducted by the owner/operator? ___Yes ___No

(1) Was further migration of the leak or spill to soils or surface water prevented? ___Yes ___No

DATE_____
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(2) Was the visible contamination removed and properly disposed of? ___Yes ___No

c. Was the release to the environment reported to the Department within 24 hours of detection? ___Yes ___No

NOTE: A leak or spill of less than or equal to a quantity of one pound of hazardous waste and that is immediately contained and cleaned up is exempted from this requirement.

d. Was a report to the Department, as specified in 265.196(d)(3), submitted within 30 days for nonexempt releases? ___Yes ___No

e. If a leak was the cause of a release, was the system repaired before being returned to service? ___Yes ___No

f. If the leak caused a release to the environment from a component of a tank system without secondary containment, was that component provided with secondary containment as specified in 265.193 before it was returned to service (see Item #6)? ___Yes ___No

NOTE: If the leaking component is aboveground and can be inspected visually, secondary containment does not need to be provided after repair.

***: If a component was replaced in order to repair the system, the owner or operator must comply with the standards for new tank systems or components 265.192 and 265.193 (see item #4).

g. Was a major repair performed to return the tank system back to service? ___Yes ___No

(1) If yes, was a certification of this major repair done by an independent, qualified, registered P.E. before the system was returned to service? ___Yes ___No

(2) Was this certification submitted to the department within 7 days after returning the system to service? ___Yes ___No

Comments:

DATE_____
FACILITY ID_____

10. Closure and post-closure care (265.197).

a. At closure of a tank system, did the owner/operator remove or decontaminate all waste residues, contaminated containment system components, contaminated soils, and structures and equipment contaminated with waste, and manage them as hazardous waste? ___Yes ___No

Comments:

11. Special requirements for ignitable or reactive wastes (265.198).

a. Are ignitable or reactive wastes placed in tanks? ___Yes ___No

(1) If yes, are they treated, rendered, or mixed before or immediately after placement in the tank system so that:

- The resulting waste, mixture, or dissolved material no longer meet the definition of ignitable or reactive waste and 265.17(b) is complied with? ___Yes ___No

OR

- The waste is stored or treated in such a way that is protected from any material or conditions that may cause the waste to ignite or react? ___Yes ___No

NOTE: If yes, use narrative explanation sheet to describe separation and confinement procedures. If no, use narrative explanation sheet to describe sources of ignition or reaction.

OR - The tank system is used solely for emergencies? ___Yes ___No

b. Are protective distances maintained between the tank accumulation areas and any public ways, streets, alleys, or adjoining property lines that can be built upon as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code"? ___Yes ___No

Comments:

DATE_____
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12. Special requirements for incompatible wastes (265.199).

a. Is there evidence that incompatible wastes were in the same tank? ___Yes ___No

NOTE: If yes, use narrative explanation sheet to state the results (e.g. signs such as fire, toxic mists, heat generation, bulging containers, etc.) and whether 265.17(b) was complied with.

b. If a waste is to be placed in a tank that previously held an incompatible waste or material, was that tank washed? ___Yes ___No

NOTE: If yes, describe the washing procedure on the narrative explanation sheet. If no, was 265.17(b) complied with?

Comments:

Appendix F

Facility Checklist - Other Laws

FACILITY CHECKLIST

OTHER LAWS

In addition to the RCRA hazardous waste management standards, owners/operators must be familiar with several other environmental laws and programs. The following checklist is designed to assist owners/operators of wood preserving facilities subject to these requirements. It includes items required under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Clean Water Act (CWA), and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). It is not an exhaustive reference to the requirements under the respective statutes, but a general overview. Owners/operators must consult the appropriate regulations to further ascertain the extent of requirements under each program.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) regulates chemicals with pesticidal properties that are sold in commerce as poisons. Many chemicals used by the wood preserving industry are regulated under FIFRA.

FIFRA Operating Practices

Consumer Information Sheets (CISs) ____

Wood preserving facilities must ensure that Consumer Information Sheets (CISs) are provided to retailers for distribution with all treated wood products.

Worker/Handler Certification ____

Wood preserving facilities must obtain proper certification for facility workers who will be handling regulated materials. Facilities should be able to provide inspectors with the following information:

____ Documents stating who is authorized to certify facility/pesticide handlers (i.e., EPA, State, Department of Defense).

____ A list of pesticide applicators who are authorized to use restricted-use pesticides.

____ All facility or personnel licenses/certificates.

Restricted-Use Pesticide Certification ____

Wood preserving formulations containing creosote, pentachlorophenol, and inorganic salts such as chromated copper arsenate (CCA) are classified as restricted-use pesticides. The application of such formulations is limited to pesticide licensed applicators or individuals under the direct supervision of a licensed pesticide applicator. Thus, if the facility is using these formulations, at least one employee must be licensed to apply restricted-use pesticides.

Container Handling ____

Wood preserving facilities must ensure that storage, mixing/loading, and container disposal areas are in compliance with FIFRA regulations. Facilities should be able to demonstrate:

____ Bulk storage areas are in compliance with Federal/State requirements.
____ The location, ventilation, segregation, shelter, and housekeeping of pesticides in storage/handling areas meet regulatory standards.
____ Security, fire protection, and warning signs are in compliance with State applicable regulations.
____ Mixing equipment and operating procedures reduce handler exposure to pesticides.
____ Employees are trained how to use safety equipment and follow safety procedures.
____ Employees are trained to properly clean and dispose of pesticide containers.

Note: *Owners/operators should pay particular attention to these requirements when performing loading, unloading, and other operations in the loading dock area and in the tank farm where these pesticides are transferred between containers and otherwise managed.*

Pesticide Disposal ____

Wood preserving facilities must dispose of pesticides in accordance with applicable pesticide container label and RCRA requirements.

Worker Safety Measures ____

Wood preserving facilities must implement necessary worker safety measures (e.g., pesticide applicators and assisting personnel may be required to wear safety gear).

Pesticide Application Practices ____

Wood preserving facilities must conduct pesticide application practices according to appropriate procedures. These procedures include:

____ Using proper dilution ratios when mixing pesticides.
____ Wearing the safety gear required by the pesticide label.

FIFRA Recordkeeping Requirements

Pesticide Registration Status ____

All wood treatment facilities must maintain a list of the type, use, and registration status of all pesticides stored and used at the facility, particularly if any are restricted- or experimental-use pesticides.

Previous Audit Records ____

Pesticide Permit Application Records ____

Inventory Records ----

Employee Training Records ----

Equipment Repair Records ----

FIFRA Reporting Requirements

Air Monitoring for Arsenic ----

Wood facilities using formulations containing arsenic are required to either conduct air monitoring on personnel working in areas where arsenic exposure might occur or require operators to wear respirators. This air monitoring must be performed in accordance with EPA's Permissible Exposure Limit (PEL) Monitoring Program and all analytical results (or the PEL checklist) must be maintained at the facility and submitted to EPA annually.

CLEAN WATER ACT

The goal of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the nation's surface waters by prohibiting the discharge of pollutants to surface waters in toxic amounts. Wood preserving facilities are subject to some CWA regulations, including the requirement to obtain appropriate water permits.

CWA Operating Practices

Effluent Limitations ----

Wood preserving facilities must ensure that all facility waste water discharges are in compliance with the effluent limitation for the wood preserving industry found in 40 CFR Part 429.

NPDES Permit for Storm Water Discharge ----

Wood preserving facilities must obtain and keep on site a NPDES permit for storm water discharge. All wood preserving facilities, regardless of size, must obtain an NPDES permit for storm water discharges. Permit application requirements for storm water discharges associated with specific industrial activities can be found in 55 FR 47990. NPDES permits are issued by the EPA Regional office or by States which EPA has authorized to administer the program.

Storm Water Sampling and Flow Measurements ____

Wood preserving facilities must conduct storm water sampling and flow measurements, as specified by the NPDES permit at the correct location, with the proper frequency, and using acceptable equipment and methods. (Most CCA plants are required to perform storm water sampling on a bi-annual or annual basis; however, plants in some States are required to sample once a month per outfall. In most cases, the storm water permit will contain a discharge monitoring schedule).

Equipment Calibration and Maintenance ____

Wood preserving facilities must perform all necessary calibrations and maintenance procedures on storm water monitoring and sampling equipment.

Water Sample Procedures ____

Wood preserving facilities must use approved procedures to collect, preserve, and transport water samples.

CWA Recordkeeping Requirements

Storm Water Pollution Prevention Plan ____

Wood preserving facilities must develop and keep on file the facility's Storm Water Pollution Prevention Plan which should contain the following information:

____ A list of potential sources of storm water pollution at the plant and an evaluation of their significance.

____ The Best Management Practices (BMPs) that are appropriate to the specific site and source.

____ Implementation schedule for BMPs.

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, commonly known as Superfund, authorizes EPA to respond to releases, or threatened releases, of hazardous substances that may endanger public health, welfare, or the environment. CERCLA also enables EPA to force parties responsible for environmental contamination to clean it up or to reimburse the Superfund for response costs incurred by EPA. All wood preserving facilities must adhere to CERCLA reporting requirements.

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CERCLA Reporting Requirements

Hazardous Substance Release

Facilities must report any release of a hazardous substance which, within a 24-hour period, equals or exceeds a designated reportable quantity (RQ) to the National Response Center (NRC) at (800) 424-8802.

Hazardous substances and RQs are defined and listed in 40 CFR §302.4. Arsenic, chromium, creosote, and pentachlorophenol are hazardous substances often found at wood preserving facilities. The RQs for these substances are:

- Arsenic - 1 lb.
- Chromium - 5,000 lbs.
- Creosote - 1 lb.
- Pentachlorophenol - 10 lbs.

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